

### DECLARATION AND POWER OF ATTORNEY

I, RICHARD D. BEDNAR, a citizen of the United States, hereby declare that, my residence and post office address are as follows: North 6804 Shorewood Hills Road, Lake Mills, Wisconsin 53551.

I believe I am an original, first and sole inventor of the subject matter which is described and claimed and for which a patent is sought on the invention entitled

#### DUAL-PATH SINGLE-PUMP HYDROSTATIC DRIVE FOR MOWER

which is described and claimed in the specification of the following previously filed patent application:

#### U.S. Patent Application Serial No. 09/594,830 - Filed June 14, 2000

and amended by any amendment thereto submitted herewith (if any); that I have reviewed and understand the contents of the specification, including the claims;

I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve (12) months prior to this application;

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, section 1.56; and

I hereby claim the benefit under Title 35, United States Code, §119(e) of my United States Provisional Patent Application No. 60/139,231 filed June 14, 1999 of the same title as is given above.

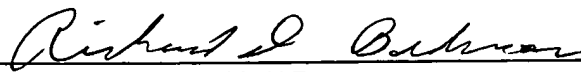
No application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns.

I hereby appoint Robert S. Nolan, Registration No. 30,667, and Christopher A. Eusebi, Registration No. 44,672, each principal, attorney of counsel, associate and employee of Harness, Dickey & Pierce, P.L.C., who is a registered Patent Attorney, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to:

Robert S. Nolan  
Harness, Dickey & Pierce, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
Phone: (248) 641-1600  
Fax: (248) 641-0270

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Date: 9-19-00  
Full Name of Sole Inventor:  
Residence & Post Office Address:  
  
Citizenship:

  
RICHARD D. BEDNAR  
North 6804 Shorewood Hills Road  
Lake Mills, Wisconsin 53551  
United States of America

**ASSIGNMENT**

WHEREAS, I, RICHARD D. BEDNAR residing at North 6804 Shorewood Hills Road, Lake Mills, Wisconsin 53551 (hereinafter referred to as Assignor), have invented a new and useful invention entitled:

**DUAL-PATH SINGLE-PUMP HYDROSTATIC DRIVE FOR MOWER**

for which Assignor has made United States application for Letters Patent of the United States under Serial No. 09/594,830, filed June 14, 2000 that claims the benefit of copending United States provisional application Serial No. 60/139,231 filed June 14, 1999; and

WHEREAS, TEXTRON INC. (hereinafter referred to as Assignee), a corporation of the State of Delaware, having its principal place of business at 40 Westminster Street, Providence, Rhode Island 02903, is desirous of acquiring the entire right, title and interest in and to said invention and said applications for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto the Assignee, its successors, legal representatives and assigns, his entire right, title and interest in and to the above-mentioned invention, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the Assignor, had this sale and assignment not been made.

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives and assigns, that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said invention, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said invention in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patents, or any reissue or extension of any Letters Patents, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to the Assignee, its successors, legal representatives and assigns, but at the cost and expense of the Assignee, its successors, legal representatives and assigns.

The Assignor hereby requests the Commissioner of Patents and Trademarks to issue his entire right, title and interest to said Letters Patents of the United States to the Assignee for the sole use and behoof of the Assignee, its successors, legal representatives and assigns.


Signed at Johnson Creek, in the County of Jefferson, State of Wisconsin, this 19 day of Sept. 2000.

  
Richard D. Bednar

State of Wisconsin    )  
County of Jefferson    ) ss.

Before me personally appeared said Richard D. Bednar, and acknowledged the foregoing instrument to be his own free act and deed, this 19 day of September 2000.

SEAL

  
Notary Public  
My Commission Expires: 4-6-03